

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, May 23, 2000
Tuesday, 9:05 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Gale, Lambke, Martz, Pisciotte, Rogers; present. *Council Member Cole absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Rev. David McCord, Westside Christian Church, gave the invocation.

The Council Members, staff, and guests participated the pledge of allegiance to the flag in.

Minutes -- approved

The minutes of the regular meeting of May 16, 2000, were approved 7 to 0.

AWARDS AND PRESENTATIONS

PROCLAMATIONS

Proclamations previously approved were presented.

RECOGNITION

Sister City delegations from Tlalneantla, Mexico, and Kaifeng, China, were recognized.

RECESS

The City Council recessed to a reception for the Sister City delegations at 9:37 a.m. and reconvened at 10:15 a.m.

NEW BUSINESS

INCENTIVE POLICIES

REVISIONS TO INDUSTRIAL REVENUE BOND AND BUSINESS INCENTIVE POLICIES.

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-0514.

The City Counsel has previously adopted written policies governing the use of industrial revenue bonds ("IRBs") and property tax abatements as incentives to spur growth in employment and economic development in the Wichita area. On May 2, 2000, the Council approved the schedule for implementation of various redevelopment incentives identified by a staff task force, with public input, for the purpose of encouraging the redevelopment and adaptive reuse of older areas of the City. The first incentive on the schedule is the revision of IRB and tax abatement policies to allow tax exemption of new multi-family housing developments in the targeted area.

The City's Industrial Revenue Bond Policy identifies the various types of projects for which IRBs may be issued, including manufacturing and distribution facilities, hospital, medical and assisted living facilities, downtown development, hotels and motels, child care facilities, parking structures and speculative facilities. New housing developments are limited to the downtown area, defined as being bounded by Kellogg on the south, Seneca on the west, Murdock on the north and Washington on the east.

The proposed revision to the IRB Policy will extend the area in which IRBs may be issued to finance new multi-family housing developments to the redevelopment incentive target area recommended by the staff task force. The boundaries of this area are Pawnee on the south, Highway I-235 on the west, 25th Street North on the north and Oliver on the east. In addition, it is proposed that the Local Investment Areas from the adopted Neighborhood Revitalization Area Program be eligible for IRB financing of new multi-family housing developments. This will allow coverage of Planeview, Hilltop and Orchard Breeze that are not within the recommended target area.

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The Business Incentive Plan sets forth the procedures and policies governing the abatement of property taxes, including the types of eligible businesses. The proposed revision to the Business Incentive Policy will add new multi-family housing developments to the list of eligible businesses.

The financial impact of the policy revisions is unknown because it is not possible to project the number of projects that will take advantage of this incentive. The amount of City property taxes exempted for a typical \$5,000,000 project would be \$17,250 per year. County taxes exempted would be approximately \$16,500 and \$24,150 for USD 259.

Council Member Lambke	Council Member Lambke suggested the boundary on the south be changed to the natural boundary at I-35 and the Arkansas River.
Council Member Rogers	Council Member Rogers requested that he be involved in specifics in the future.
Council Member Pisciotte	Council Member Pisciotte suggested adoption, in concept, and that Staff be asked to return with scaling and tiering.
Allen Bell	Financial Projects Director, responding to a question regarding possible competition to current investors, said the overriding concern is to avoid further deterioration of the City. This is the philosophy of the Redevelopment Policy.
Mayor Knight	Mayor Knight inquired whether anyone wished to be heard and no one appeared.
Motion -- -- carried	Pisciotte moved that the proposed revisions to the Industrial Revenue Bond Policy and Business Incentive Policy be approved in concept; and Staff report back with incentives. Motion carried 7 to 0.

PUBLIC SAFETY SYS. INTEGRATED PUBLIC SAFETY SYSTEM.

Ray Trail Director of Finance reviewed the Item.

Agenda Report No. 00-0515.

The current Public Safety computer system has been in use since 1989. This system was purchased from Litton/PRC Public Sector, Inc. In April 1998 the City contracted to migrate to PRC's Advanced Records Interface (ARI) product. The product provided a Graphical User Interface that would be used with the existing database. In February of this year a decision was made to discontinue the ARI project for several reasons. The Police Department received a grant to implement a National Incident Based Reporting System (NIBRS) which could not be accomplished with the ARI product. ORACLE announced their discontinued support on the VAX hardware platform currently in use by the Public Safety System. In addition, PRC discontinued actively marketing the ARI product and had no plans for future system enhancements including the migration to the City's standard WindowsNT operating system and the latest versions of ORACLE.

As a result, a project team consisting of 4 individuals from the Municipal Court, Data Center, and Police Department was established to research and select a company to implement a new Integrated Public Safety System.

The project team researched over 75 potential vendors through various resources such as PTI, National Center for State Courts, KBI, peer cities, and SEARCH, (The National Consortium for Justice Information and Statistics). A response to a Request for Proposal was received from six companies. The evaluation process included on-site product demonstrations and site visits by Municipal Court, Police, Data Center and Law Department staff.

The following requirements were established for a public safety system:

- ? It must fully integrate Police, Municipal Court, and Prosecutor's Office
- ? It must be NIBRS compliant.
- ? It must function within the City's standard of WindowsNT and ORACLE database.
- ? It must meet the approval of the MIS Team

Based upon these requirements, the Police Department, Municipal Court and Law are recommending that the City contract with TRW, Inc., to implement the City's Integrated Public Safety System. TRW is a large, international company headquartered in Cleveland, Ohio. During the past ten years the company has become a recognized leader in public safety design and implementation. TRW offers a centralized solution allowing system information to be shared and utilized by Police, Prosecution, and Court. The company's product streamlines data entry by

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utilizing bar code and driver's license scanning, imaging, and Internet technology. TRW's technology allows for the electronic transfer of information and data between departments as well as outside agencies and includes workflow processing; thus eliminating the need for paper to pass from individual to individual. Customer service will be improved as payment, court date and various other notification processes are part of the applications. TRW Inc.'s experience, dedication, and technological expertise meets the needs of the City today; and TRW is committed to continue to meet the needs of the City in the future.

The total cost of this project is not to exceed \$1.75 million. Funding for this cost is available as follows:

Project Finances – Sources and Uses of Funds

Sources of Funds

\$ 192,000	BJA grant
50,000	PRC contract savings
468,577	Bond forfeiture
526,000	DL reinstatement
250,000	Self-insurance
<u>263,423</u>	DC System Replacement
\$1,750,000	

Uses of Funds

\$1,182,102	TRW software and installation
186,790	Oracle database licenses
211,616	Server & Hardware
23,939	CJIS
4,410	Batch software
38,400	Terrenet support
<u>102,743</u>	Contingency
\$1,750,000	

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Knight moved that the Contracts and transfer of funds be approved and the necessary signatures be authorized.

-- carried

Motion carried 7 to 0.

PREFERRED DEV.

DESIGNATION OF PREFERRED DEVELOPER. (Districts I and II)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 0516.

The City has received a proposal from a developer requesting designation as the City's preferred developer for the purpose of redeveloping an area of east Wichita in the vicinity of Central and Oliver. The developer proposes a letter agreement be entered into which prescribes a structured process for elaborating details of the project and arriving at a formal agreement for the redevelopment of the proposed area.

The proposed developer is JD Investors LLC of Chicago. The proposed redevelopment area includes approximately 13 acres of land and is located near the intersection of Central Avenue and Oliver Street in east Wichita. The proposed redevelopment project will consist of the development of leaseable commercial space.

The proposed letter agreement sets forth a two-phase process. The development-planning phase will develop details of the proposed project and will include planning for the use of tax increment financing ("TIF"), land assemblage, utility relocation, traffic improvements and plans and specifications for commercial developments. The development agreement phase will involve negotiation of public and private financing arrangements, approval of a TIF redevelopment plan and standard legal details.

The proposed term of the letter agreement is eight months from the approval by the City Council to finalize the developer agreement. The proposed letter agreement further provides a term of two-and-a-half years from approval for full completion of the redevelopment project. It has been the City's policy in designating preferred developers generally to provide a 30-day public notice in order to allow the opportunity for alternative proposals to be presented prior to the designation of preferred developer becoming effective.

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There are no financial obligations of the City arising from the approval of the letter agreement designating JD Investors LLC as preferred developer.

Allen Bell

Financial Projects Director said the exact size of the area of the project is driven somewhat by the size of the development proposed.

Chris Cherches

City Manager explained that the idea is for any developer to submit a proposal with boundaries the developer thinks is economically feasible and would be conducive to the proposed project. The City Council could, then, choose the desired project.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Pisciotta moved that publication of the public notice of intent to designate JD Investors LLC as preferred developer, and execution of the letter Agreement 30 days following such publication, subject to final review and approval by the City Attorney of non-substantive changes to the language of the Letter of Intent, be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

COUNCIL CHAMBER

CITY COUNCIL CHAMBER REMODEL.

Chris Cherches

City Manager reviewed the Item.

Agenda Report No. 00-0517.

On November 19, 1996, the City Council approved an Agreement with Electronic Interiors, Inc. (EII), St. Paul, Minnesota, to provide services to design architectural changes to the Council Chambers which included updating electronic systems for improved presentation and communication capabilities. The programming and schematic design under this Contract has been completed. Also, due to their existing Contracts on other remodeling projects at City Hall, on March 26, 1999, an Agreement was made to involve Schaefer Johnson Cox and Frey, Architects (SJCF), to work with EII on the design aspects of the project.

It has now been determined the most expeditious method to complete this project is for SJCF to be the prime Consultant and EII to be a sub-consultant to SJCF.

A not-to-exceed Contract with SJCF in the amount of \$109,730 for fees and reimbursables is proposed to complete the design development, bid documents, and construction administration for the project is proposed. Funds for the project, including the professional services Contract, have been transferred into a project from General Fund reserves.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried

Rogers moved that the Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

WATER PAMPHLET

WATER CONSERVATION EDUCATION PAMPHLET.

Chris Cherches

City Manager reviewed the Item and recommended that Option #1 be selected and the remaining distribution options be explored.

Agenda Report No. 00-0518.

The City Council adopted a water conservation plan on December 3, 1991. On August 31, 1993, the Council Members adopted the Integrated Water Supply Plan, and have since approved updates of this plan. Water conservation strategies are an integral component of how this community manages and works to extend its water supply.

Wichita citizens routinely double their summer water use with home and business lawn watering. Many customers then call the Water & Sewer Department seeking ways to lower their water bills. Providing lawn watering and maintenance tips is a proactive way of helping people bring their water bills into line, as well as protecting Wichita water sources. Last year a pamphlet promoting water conservation was distributed as an insert in the Wichita Eagle (July 3, 1999). A bright self-stick not on the front page directed people to look for the insert in their newspaper. Staff recommends the outreach continue and be expanded by using the Total Market Coverage plan. Under the

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Total Market Coverage plan, the educational insert would be placed in a daily paper, and it would be mailed on a Wednesday to all households in Sedgwick County along with local advertisement flyers.

If Council Members decide to have the pamphlet go out to citizens, they have two choices: 1) continue with a newspaper insert only; or 2) choose to take advantage of the Total Market Coverage option. The area covered would be all of Sedgwick County.

- | | |
|---|----------|
| 1) Pamphlet printing & distribution in newspaper only. | \$13,373 |
| 2) Total Market Coverage (printing, newspaper & mailing) | \$19,910 |

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried

Knight moved that Option #1 be selected and the remaining distribution be explored. Motion carried 7 to 0.

CITY COUNCIL AGENDA

APPOINTMENTS

BOARD/COMMISSION APPOINTMENTS.

There were no appointments.

PROCLAMATIONS

PROCLAMATIONS.

There were no proclamations presented.

CONSENT AGENDA

Knight moved that the Consent Agenda, except Items 14e and 17, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS.

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED MAY 22, 2000.

Bids were opened May 19, 2000, pursuant to advertisements published on:

Water supply line in Maize Road from 1320 feet south of 29th Street North to the north line of 29th Street North - 29th Street North and Maize Road. (448-89434/633725/750819) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 01/25/2000. (District V)

WB Carter Construction- \$109,226.00

Water distribution line to serve Oak Cliff Estates - north of Maple, west of Maize Road. 448-89462/734961/470631) Does not affect existing traffic. City Council approval date: 03/31/2000. (District V)

Mies Construction - \$11,250.00

Lateral 445, Southwest Interceptor Sewer to serve Oak Cliff Estates - north of Maple, west of Maize Road. (468-83081/743838/480526) Does not affect existing traffic. City Council approval date: 03/31/2000. (District V)

WB Carter Construction - \$10,546.00

Lateral 22, Cowskin Interceptor Sewer to serve Highland Springs Second Addition - west of 135th Street West, south of Central. (468-83027/743839/ 480527) Does not affect existing traffic. City Council approval date: 09/28/1999. (District V)

Utility Contractors - \$101,350.00

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Paving decel lane and left turn lane in 21st Street North from the northwest corner of Lot 1, Block 1, to the northeast corner of Lot 1, Block 1 to serve Legacy Park Wilson Estates Addition - south of 21st Street North, west of Webb. (472-83231/765632/490743) Traffic to be maintained during construction. City Council approval date: 05/16/2000. (District II)

Cornejo & Sons Construction - \$97,845.40

2000 enhanced maintenance concrete repair Phase 6 - north of 31st Street South and east of Meridian. (2000_706786_6/706786/405241) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (District all)

Barkley Construction - \$234,849.00 (Engineer's estimate)

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Concessions Renovation at Century II. (791293)

Sutherland Builders, Inc. - \$69,533.00 (Item 1/Lump sum total)
No additional cost (Item 1/Total alternate #1 – add/deduct)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Door and Hardware Replacement at Various Park Buildings. (130823)

Overhead Door Company - \$13,950.00 (Lump sum total)

WATER & SEWER DEPARTMENT/WATER DISTRIBUTION DIVISION: Rubber Tired Loader/Backhoes and Trailer. (183327)

Wichita Tractor Co. -	\$167,540.00 (Group I/Total net bid)
	\$ 500.00 (Group I/Total option 1 per loader/backhoe)
	\$ 3,965.00 (Group I/Total option 2 per loader/backhoe)
	<\$ 21,000.00> (Group I/Lump sum total option 3 <deduct>)
The Victor L. Phillips Co. -	\$35,196.00 (Group II/Total net bid)
	No Charge (Group II/Total option 1/per trailer)
	<\$ 5,400.00> (Group II/Total option 2 <deduct>)

PARK & RECREATION DEPARTMENT/CENTURY II DIVISION: Telephone System. (792316)

Great Plains Communications	
Service & Supply, Inc.	\$30,750.00 (Base bid/lump sum total)
	\$ 5,100.00 (Option 1/lump sum total)
	0.00 (Option 2/lump sum total)
	\$ 58.00 (Option 3/per-hour total)
	\$ 10.00 (Option 4/per trip total)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and he necessary signatures be authorized. Motion carried 7 to 0.

PLANS AND SPECS.

SUBDIVISION PLANS AND SPECIFICATIONS.

There were no Plans and Specifications considered.

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PRELIMINARY EST.

PRELIMINARY ESTIMATES:

- a) 2000 Sanitary Sewer Reconstruction Program; Phase 1 - west of Hillside, south of 13th Street North. (468-83092/620282/660407) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$292,000.00
- b) 2000 Sanitary Sewer Rehabilitation Program Phase B - east of Broadway, north of Harry. (468-83108/620286/660411) Traffic to be maintained during construction using flagpersons and barricades. (District I, II & VI) - \$239,820.00
- c) Lateral 446, Southwest Interceptor Sewer to serve Airport Industrial Park Addition - south of Harry, west of Hoover. (468-83080/743836/480524) Does not affect existing traffic. (District V) - \$20,000.00
- d) Lateral 451, Southwest Interceptor Sewer to serve West Ridge Estates - south of 29th Street North, east of 119th Street West. (468-83102/743840/480528) Does not affect existing traffic. (District V) - \$246,000.00
- e) Topeka from the north line of Murdock to the north line of Emporia and Traffic Signal Modifications to serve Via Christi Regional Medical Center, Inc. Addition - north of Murdock, east of Topeka. (472-83208/765628/490739) Does not affect existing traffic. (District VI) - \$165,000.00
- f) Angel, from the west line of Meridian to the east line of the drainage easement on Lot 1, Block 6; Edwards, from the south line of Angel to the south line of Lot 8, Block 4; Edwards Circle, from the north line of Angel to and including the cul-de-sac, and; Angel Court, from the north line of Angel to and including the cul-de-sac to serve Angel Acres Addition - west of Meridian, north of 47th Street South. (472-83154/765611/490722) Does not affect existing traffic. (District IV) - \$340,000.00
- g) Storm Water Drain No. 150 to serve Angel Acres Addition - west of Meridian, north of 47th Street South. (468-83046/751282/485173) Does not affect existing traffic. (District IV) - \$64,400.00
- h) Water Distribution System to serve Regency Park Addition - west of Greenwich, north of K-96. (448-89449/734956/470626) Does not affect existing traffic. (District II) - \$70,700.00

Motion -- carried

Knight moved that the Preliminary Estimates be approved and filed. Motion carried 7 to 0.

DEEDS/EASEMENTS

DEEDS AND EASEMENTS:

- a) Utility Easement dated April 14, 2000, from Lakeridge Development, LLC, a Kansas Limited Liability Company, for a tract of land in Lot 5, Lake Ridge Commercial 2nd Addition, Sedgwick County, Kansas (Private Project - OCA #607853.
- b) Utility Easement dated May 9, 2000, from Mark A. and Loretta K. Miller for a tract of land in Lot 274 and the west half of the vacated alley to the east, all located in Riverside Addition, an addition to Wichita, Sedgwick County, Kansas (48" Raw Water Line, OCA #633712.
- c) Sanitary Sewer Easement dated May 8th, 2000, from the Board of Park Commissioners for a tract of land in Reserve Addition to Wichita, Sedgwick County, Kansas (War Industries Phase III Relief Sewer, OCA # 623306.
- d) Temporary Easement dated May 8th, 2000, from the Board of Park Commissioners for a tract of land in Reserve Addition to Wichita, Sedgwick County, Kansas (War Industries Phase III Relief Sewer, OCA # 623306.
- e) Temporary Easement dated May 8th, 2000, from the Board of Park Commissioners for a tract of land in Reserve Addition to Wichita, Sedgwick County, Kansas (War Industries Phase III Relief Sewer, OCA # 623306.
- f) Temporary Easement dated May 8th, 2000, from the Board of Park Commissioners for a tract of land in the SE 1/4 Sec. 36, Twp. 27S, R-1-E of the 6th P.M., Sedgwick County, Kansas (War Industries Phase III Relief Sewer, OCA # 623306.
- g) Temporary Easement dated May 8th, 2000, from the Board of Park Commissioners for a tract of land in the SE 1/4 Sec. 36, Twp. 27S, R-1-E of the 6th P.M., Sedgwick County, Kansas (War Industries Phase III Relief Sewer, OCA # 623306.

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h) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in the East Substation Addition to Wichita, Sedgwick County, Kansas (War Industries Phase III Relief Sewer, OCA # 623306.

i) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in Roman Numeral II in Block J, McAdam Acres Second, an Addition to Wichita, Sedgwick County, Kansas (War Industries Phase III Relief Sewer, OCA # 623306.

j) Sanitary Sewer Easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in the Plant Kingdom Addition, Wichita, Sedgwick County, Kansas (War Industries Phase III Relief Sewer, OCA # 623306.

Motion -- carried

Knight moved that the documents be received and filed. Motion carried 7 to 0.

WATER SYSTEM

PETITION FOR WATER DISTRIBUTION SYSTEM TO SERVE PLAZA CENTRAL OFFICE PARK ADDITION, SOUTH OF CENTRAL, EAST OF GREENWICH. (District II)

Agenda Report No. 00-0519.

On January 4, 2000, the City Council approved a Petition to construct a Water Distribution System to serve Plaza Central Office Park Addition (south of Central, east of Greenwich). An attempt to award a construction Contract within the budget set by the Petition was unsuccessful.

A new Petition with an increased budget has been submitted. The signature on the new Petition represents one owner of 100% of the improvement district.

The original Petition totaled \$21,600. The new Petition totals \$34,600. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or by the owners of the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted; Motion carried 7 to 0.

RESOLUTION NO. R-00-227

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89444 (south of Central, east of Greenwich) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

STREET CLOSURE

STREET CLOSURE: CENTRAL BETWEEN ZOO BOULEVARD AND MT. CARMEL (Districts IV & VI)

W.B. Carter Construction Company, Inc. has subcontracted with Cornejo & Sons, Inc. to install the stormwater system improvements identified in the project to reconstruct Central between Meridian and West Street. The Contractor is installing a 7' x 4' reinforced concrete box (RCB) culvert in the south side of Central and is nearing the railroad crossing east of Zoo Boulevard. The Contractor is requesting a 3-day closure of Central, between Zoo Boulevard and Mt. Carmel, as allowed by the project plans and specifications, from approximately 7:30 p.m. Friday, June 2nd until approximately 4:00 p.m. Monday, June 5th.

During the design process it was noted that the installation of the 7' x 4' RCB culvert was going to be especially difficult and expensive at the railroad crossing east of Zoo Boulevard. The depth of excavation is near 20 feet, the soil is sandy, the RCB sections are extremely heavy due to the additional size and strength required under a railroad track and the contractor would have to support the railroad track to allow daily train movements which would be extremely difficult and dangerous.

Because the railroad crossing would be reconstructed at some time during the street reconstruction project, it was negotiated with the railroad to schedule their crossing reconstruction to coincide with the installation of the RCB at

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the crossing area with the Contractor. This joint effort and cooperation will now allow the drainage Contractor to install this section of the RCB in a much more efficient and safe manner.

The present reconstruction of Central between Meridian and I-235 allows only one lane of traffic in each direction. Although the proposed closure period will extend into Monday, an efficient detour during the weekend and on Monday morning with early afternoon traffic using the identified detour streets. Central will be reopened to traffic at or before 4:00 p.m. Monday after the railroad installs a new crossing and the paving Contractor makes the necessary pavement connections.

During the Closure, Central Street traffic will be detoured as follows:

Eastbound Central will use Sheridan, Second Street and Meridian
Westbound Central will use St. Paul, Second Street and Sheridan

Although traffic could also use the Central detour, Zoo Boulevard traffic will be encouraged to use Ninth Street and McLean Boulevard during the Central Street Closure.

Motion -- carried

Knight moved that the street closure be approved. Motion carried 7 to 0.

STREET CLOSURE

STREET CLOSURE: LINCOLN STREET, ONE-FOURTH MILE EAST OF OLIVER (District II & III)

Agenda Report No. 00-0540.

Utility Contractors, Inc. has contracted to reconstruct the Lincoln Street Bridge over Dry Creek (¼ mile east of Oliver). The existing multiple cell reinforced concrete box structure will be removed and replaced with three span bridge. The Contractor is requesting the complete Closure of Lincoln at the bridge site from June 1, 2000 until approximately December 1, 2000. The specifications identify June 1, 2000 as the earliest start date and project completion on or before December 1, 2000.

The Contractor is responsible for construction barricades, detour signing, and notification of affected businesses and residents. During the Closure, Lincoln Street traffic will be detoured as follows:

Eastbound Lincoln: Oliver - Harry - Edgemoor - Lincoln
Westbound Lincoln: Edgemoor - Harry - Oliver - Lincoln

Pedestrian traffic using Lincoln can cross the creek using the pedestrian bridge approximately 300 feet south of Lincoln.

A public information meeting to discuss the project and proposed Closure was held Thursday, May 18, 2000.

Motion -- carried

Knight moved that the street closure be approved. Motion carried 7 to 0.

RAILROAD CROSSING

RAILROAD CROSSING AGREEMENT: UNION PACIFIC RAILROAD AT WEBB ROAD, NORTH OF 45TH STREET NORTH. (District II)

Agenda Report No. 00-0521.

On January 26, 1999, the City Council approved a project to extend a 20" water main along Webb Road from the city limits to 53rd Street North, and construct a storage reservoir at the north end of the project. This system will improve water volume and pressure at peak times for residents in the northeast portion of the city who are served by this line. A portion of the line will be located in Union Pacific Railroad Company right-of-way (north of 45th Street North)

An Agreement has been prepared which allows the City to construct and maintain the water line within railroad right-of-way.

There is a \$1,500 administrative fee. Funding source is the Water Utility.

Motion --
-- carried

Knight moved that the Agreement/Contract and the \$1,500 payment to the Union Pacific Railroad Company be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

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HESS PUMP STATION AUTOMATION OF HESS PUMP STATION.

Agenda Report No. 00-0522.

Hess Pump Station was constructed in 1973 and serves as the main pump station to create water pressure in the City's distribution system. On August 5, 1997, the City Council authorized a project to automate the controls for the pumps at that site. The project was deferred so that attention could be given to Y2K issues at Water and Sewer Department facilities.

The Purchasing Manager has solicited responses for a Request for Proposals (RFP) for a design/build project to automate the operation of the pumps at Hess, the 37th St., and the Webb Road pump stations. Proposals included an engineering study to determine the best control scheme, modification to existing pressure monitoring sites, improvements to the current SCADA system used to monitor and operate the pumps, and enhancements to the three pump stations' control systems. Responses were received from three firms: A.W. Schultz, Inc.; R.E. Pedrotti Company, Inc.; and TEC Information Services. Based on responses, Staff recommends TEC Information Services.

The proposal submitted by TEC Information Services is for \$210,495. While not the lowest cost, TEC's proposal was the most responsive to the requirements. Funding for this project is included in the CIP W-410, Computer Controls for Hess Pump Station, which has a funding allocation of \$250,000.

City Council authorization is required for projects that exceed \$10,000.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

RESPREAD SPECIALS AGREEMENT TO RESPREAD ASSESSMENTS – NORTHRIDGE LAKES ADDITION, EAST OF TYLER ROAD, NORTH OF 21ST NORTH. (District V)

Agenda Report No. 00-0523.

The developer, Marvin Schellenberg, Northridge Lakes, Inc., has submitted an Agreement to respread special assessments within Northridge Lakes Addition.

The land was originally included in several improvement districts for public improvement projects. The purpose of the Agreement is to respread special assessments to more fairly distribute the cost of the improvements.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

FOULSTON & SIEFKIN CONTRACT FOR PROFESSIONAL SERVICES WITH FOULSTON & SIEFKIN.

Agenda Report No. 00-0524.

The City has retained the law firm of Foulston & Siefkin to provide legal services in connection with the class action litigation filed in the above referenced lawsuits. The amount of the original contract has been reached making it necessary for a supplemental contract.

The original contract entered into on February 1, 2000, provided for compensation not to exceed \$10,000.00. It has become necessary to spend additional sums to continue the representation of the City in this matter. This will be the first amendment to the original contract.

This additional sum covered by the Amendment provides for an additional amount not to exceed thirty thousand dollars as necessary to continue to represent that City in these matters. The charges are reasonable in amount for the legal services involved.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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(Item Number 14e)

SETTLEMENT AGMT.

SETTLEMENT AND RELEASE AGREEMENT – VULCAN MATERIALS COMPANY, INC.

Council Member Cole declared a conflict of interest and abstained from participation on this Item.

Agenda Report No. 00-0525.

On October 7, 1998, the City of Wichita filed a lawsuit against twenty-six parties in City of Wichita v. Aero Holdings, et al., No. 98-1360-MLB. The City alleged that these parties were responsible for the groundwater contamination in the Gilbert & Mosley site and sought to recover the costs of investigating and cleaning up the site. Vulcan Materials Company, Inc., (“Vulcan”) one of the defendants, proposes to settle the City’s claims.

Under the proposed Settlement and Release Agreement with Vulcan, the City would dismiss its claims against Vulcan for response costs in the Gilbert & Mosley Site. In return, Vulcan would pay the City the sum of \$225,000, which the City will represent is a fair amount for the claims against Vulcan. The parties will seek Court approval of the settlement.

The settlement sum of \$225,000 will be paid into the Gilbert & Mosley TIF fund and be used for the expenses of the Project.

Motion --
-- carried

Knight moved that the settlement and Release Agreement be approved; and the necessary signatures be authorized. Motion carried 6 to 0. (Cole abstained)

COMPUTER/DATA

COMPUTER EQUIPMENT AND MAINTENANCE – SELECTION OF VENDOR.

Agenda Report No. 00-0526.

The City purchases computer equipment and maintenance services through a bid process based on each requirement. To secure volume pricing/discounts, staff explored securing a master contract for computer purchases in 1996 and re-evaluated the program for 2000.

A competitive Request for Proposal (RFP) for computer equipment and maintenance was sent to 49 vendors with 7 responses received. A staff screening and selection committee consisting of the Assistant Director of Finance, the Acting Data Center Director, the Purchasing Manager and a Buyer, reviewed and evaluated the proposals.

Business Computer Center’s (BCC) proposal contains labor pricing of \$30.00 per hour for on-site works with a next day response, and a carry-in rate of \$20.00 an hour for service. A delivery/set-up fee of \$30.00 will be charged on new purchases and includes preinstalled software per City specifications. Computer equipment purchases will be billed at cost plus 4% above dealers landed pricing. BCC will provide telephone support for hardware purchases at no additional cost, and handle the disposal of obsolete or replacement equipment for 40% of the revenue received through the sales from auction.

The contract does not obligate the City to any specific purchase or volume of purchases; it only provides a means to carry out City initiated purchases at the lowest net cost. The contract will not preclude the City from utilizing any County, State, or League of Municipalities contracts available.

Computer equipment and maintenance service costs are within departmental operating budgets.

Motion --
-- carried

Knight moved that the selection of Business Computer Center for computer equipment and maintenance be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CHENEY

CHENEY DAM REPAIR – CHANGE ORDER NO. 1.

Agenda Report No. 00-0527.

Cheney Reservoir is a vital component of the City's water supply system. In 1998 it provided over 65% of the City's water supply. On April 27, 1999, the City Council approved a project to make repairs to the face of Cheney Dam and approved an amendment to the CIP to allow up to \$500,000 in funding for the design and construction of needed repairs. On October 15, 1999, the City entered a Contract with Dondlinger and Sons Construction to repair the face of the dam. The original Contract amount was \$323,706.

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At the time the Contract was issued, it was known that there were sites on the face of Cheney Dam where there was damage to the soil-cement slope protection. The damage was caused by wave action and freeze-thaw activity. The extent of the repairs could not be determined until the reservoir was lowered by at least four feet. The lowering was done after the Contract had been initiated, thus allowing further damage to be observed. Repairing these sites increased the initial cost estimate. Change Order #1 will cover the additional 1300 cubic yard of concrete to repair the sites and the cost of testing the concrete.

Approval of Change Order No. 1 will increase the total price by \$65,882 and result in a revised Contract for \$389,588. Funding for this project is included in CIP W-809, Cheney Dam Repairs, which has available funds of \$500,000.

City Council approval is required for Change Orders over \$10,000.

Motion -- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Item Number 17)

PROPERTY DISP.

SALE OF PROPERTY AT KELLOGG AND BROADWAY.

Agenda Report No. 00-0528.

An offer of \$190,000 has been received from Kansas Blueprint for the City-owned parcel located on the southeast corner of Kellogg and Broadway. The tract was acquired 1993 in conjunction with the Kellogg Flyover project. The site is zoned LC, Limited Commercial. It contains approximately 44,360 square feet. The property has been advertised, signed, included in mailings. Parcel was marketed by the Downtown Development Corporation during their efforts on behalf of the City. The purchaser has an existing business that they wish to relocate to the site to better serve their clientele.

The offer calculates to approximately \$4.28 per square foot. The purchaser intends to construct an approximately 15,000 square foot building to house his commercial and retail printing business. The City has reserved the right to approve the general use, design, site layout and landscaping. The City has reserved the right to repurchase the site if it is not redeveloped in a timely manner.

The City will receive cash consideration net of a sales commission and closing costs from the sale of the property at closing. Upon sale, this property will return to the tax rolls.

Council Member Rogers

Council Member Rogers inquired as to the possible repurchase cost to the City.

Chris Cherches

City Manager responded that the repurchase price would be identical to the original purchase price paid by current purchaser.

Motion -- carried

Rogers moved that the sale be approved and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 451 WAVERLY FOR THE EAST KELLOGG IMPROVEMENT PROJECT. (District II)

Agenda Report No. 00-0529.

In October of 1998, staff was instructed to pursue opportunity purchases in the Kellogg corridor. Opportunity purchases arise when an owner contacts the City and indicates a willingness to sell their property. The owners of 451 Waverly, Donald and Janice Harter, have expressed an interest in selling this property to the City. The site contains 10,725 square feet and is improved with a 1,985 square foot brick, ranch-style single family residence. The property has three bedrooms and 1 3/4 baths. The planned expansion of Kellogg will require the removal of the improvements and utilization of the entire site.

The property was appraised at \$129,000. The owner has agreed to accept this amount for the property. Early acquisition will avoid future relocation and moving expenses. The property appears to be in good condition with no deferred maintenance noted.

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The Capital Improvement Program includes funds for opportunity acquisitions. The funding source will be General Obligation Bonds. A budget of \$135,000 is requested. This includes \$129,000 for the acquisition, \$5,000 for demolition and \$1,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

GYPSUM CREEK

KDHE GRANT – GYPSUM CREEK STREAM RESTORATION. (Districts II and III)

Report No. 00-0530.

As the result of work by a community-wide committee interested in reducing nonpoint source pollution in the Wichita area, the Kansas Department of Health & Environment (KDHE) has offered the City of Wichita a \$250,000 Grant. The Grant is to be matched by \$166,667 in local funds or resources, to undertake a project which will demonstrate the restoration of an urban stream (Gypsum Creek) through the application of nonpoint source pollution control and other water quality protection measures in the watershed. The project will result in the protection and restoration of the water quality of Gypsum Creek.

The project will be divided into two phases. The first phase will include a watershed analysis, which will look at existing water quality, nonpoint pollutant sources, and protection measures that can be used to improve water quality. The second phase will design and construct the selected protection measures.

The project will help the City comply with some of its current and upcoming environmental obligations, including our Storm Water Management Program and Total Daily Maximum Loads.

The project costs would be broken down as follows:

Phase	Budget Year	KDHE Share	City Share	Total Cost
Watershed Analysis	2000	\$ 95,000	\$ 63,333	\$158,333
Design Construction	2001	<u>\$155,000</u>	<u>\$103,334</u>	<u>\$258,334</u>
Total Costs		\$250,000	\$166,667	\$416,667

The Grant Agreement covers the watershed analysis only with a Grant period of May 1, 2000 through February 28, 2002. The design and construction phase will be the subject of a future Grant Agreement once the watershed analysis is completed.

Funds for the local match for the watershed analysis Grant Agreement are included in the Storm Water Utility 2000 Operating Budget.

Motion --
-- carried

Knight moved that the project and Grant Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION BY EMINENT DOMAIN OF TRACTS REQUIRED FOR THE WEST KELLOGG IMPROVEMENT PROJECT. (District V)

Agenda Report No. 00-0531.

In July 1993, the City Council approved an ordinance declaring Kellogg from 119th Street West to Mid-Continent Airport a major traffic-way. In early 2000, staff was instructed to initiate formal acquisition of all properties requiring total acquisition. Offers have been extended on all subject tracts and negotiations initiated. Agreement has not been reached on several tracts.

City staff and consultants hired by the City have been attempting to negotiate a purchase of the identified properties but has been unable to reach an agreement with the owners. The offer prices and counter offers, where available, are shown as part of Exhibit A. Per Federal guidelines, offer values were set by review appraisals of certified appraisals. Staff and the consultants will continue to negotiate with the owners, but due to the construction schedule for the project, eminent domain proceedings need to be initiated.

The cost of these acquisitions will be paid for by the City at large.

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The City is authorized by law to commence eminent domain proceedings to acquire these properties.

Motion --
-- carried

Knight moved that the Ordinance providing for the acquisition by eminent domain be place on first reading.
Motion carried 7 to 0.

ORDINANCE

An Ordinance providing for the acquisition by eminent domain of certain real property and directing the City Attorney to file the appropriate proceedings in the District Court to accomplish such acquisition, introduced and under the rules laid over.

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ MAY 16, 2000)

- a) 2001 Intersection Improvement Program.

ORDINANCE NO. 44-651

An Ordinance declaring the intersections of Woodlawn Avenue at Mainsgate Street, Westport at Maize, McLean at Harry, McLean at Lincoln, and 27th at Hillside, (472-83221) (2001 Intersection Improvement Program to be main trafficways within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficways; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- b) Health Nuisance.

ORDINANCE NO. 44-652

An Ordinance making a special assessment to pay for the cost of abating certain public health nuisances (lot cleanup) under the provision of Section 7.40.050 of the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- c) Weed Mowing.

ORDINANCE NO. 44-653

An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- d) Z-3205 –Southeast corner of Lincoln (extended) and Webb. (District II)

ORDINANCE NO. 44-654

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. Z-3205

- e) Z-3346 – Southwest corner of 21st Street North and Webb Road.

ORDINANCE NO. 44-655

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. Z-3346

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f) Z-3347 – Southwest corner of 21st Street North and Webb Road.

ORDINANCE NO. 44-656

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. Z-3347

PLANNING AGENDA

Marvin Krout Director of Planning stated that all Items, except Item 24, could be considered as consensus Items unless the Council desired to withhold other items.

Motion -- Knight moved that Planning Agenda Items, except Item 24, be approved as consensus Items.
-- carried Motion carried 7 to 0.

S/D 99-85

S/D 99-85 – PLAT OF DONALDSON-TALBERT ADDITION LOCATED ON THE NORTH SIDE OF MACARTHUR, EAST OF WEST STREET. (District IV)

Agenda Report No. 00-0532.

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (11-0)

This site adjoins the City of Wichita and is on the same agenda to be annexed by the City.

Petitions, 100%, have been submitted for sanitary sewer and future City water improvements. A Certificate of Petitions has also been provided. As required by the drainage plan for the site, an off-site drainage easement was provided by the Applicant. Due to excessive lot depth, a restrictive covenant has been provided in accordance with City Fire Department standards to restrict location of structures.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. The plat will not be released by staff for recording until the annexation ordinance has been published.

The off-site drainage easement and Certificate of Petitions have been recorded with the Register of Deeds. The restrictive covenant will be recorded with the Register of deeds.

Motion -- Knight moved that the documents and plat be approved; the Resolutions be adopted; and the necessary signatures
-- carried be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-228

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89479 (north of MacArthur, east of West Street) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-229

Resolution of findings of advisability and Resolution authorizing construction of Lateral 456, Southwest Interceptor Sewer (north of MacArthur, east of West Street) (468-83115) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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SUB 2000-27

SUB 2000-27 – PLAT OF RITCHIE'S FIRST ADDITION LOCATED ON THE EAST SIDE OF SALINA, SOUTH OF 16TH STREET NORTH.

(District VI)

Agenda Report No. 00-0533.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (13-0)

This replat is zoned TF-3, Two-Family Residential and municipal services are available to serve the site.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion -- carried

Knight moved that the Plat be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Item Number 24)

ZON2000-00006

ZON2000-00006 – ZONE CHANGE FROM “MF-29” MULTI-FAMILY RESIDENTIAL TO “OW” OFFICE WAREHOUSE, LOCATED SOUTH OF KELLOGG AND WEST OF SENECA. (District IV)

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 00-0534.

MAPC Recommendation: Approve “NO” Neighborhood Office on east 50 feet (13-0).

DAB Recommendation: Approve “OW” Office Warehouse on north half of subject property subject to a Protective Overlay limiting uses to construction, sales, and contracting uses.

Staff Recommendation: Deny.

The applicant requests a zone change from “MF-29” Multi-Family Residential to “OW” Office Warehouse on a 0.32 acre platted tract located south of Kellogg and west of Seneca (1117 & 1121 W. Dayton). The applicant proposes to convert the single-family residence at 1117 W. Dayton into an office and to construct a 2,000 to 3,000 square foot warehouse in the rear yard of both addresses for use by an electrical contracting business owned by the applicant. Access to the site would be from a paved alley running north from Dayton and parallel to Seneca. The applicant has indicated that he has an informal agreement with the adjoining commercial property to the east for access across their property to Seneca.

The surrounding area is primarily developed with single-family residences. The only commercial business in the immediate area is adjacent to the subject property to the east. Property to the north, south, and west of the site is zoned “MF-29” Multi-Family Residential and is developed primarily with single-family residences with a few duplexes interspersed. Property to the east of the site is zoned “LC” Limited Commercial and is developed with a tavern (Old English Pub).

Off-street parking requirements in the Unified Zoning Code are 1 space per 250 square feet of office area and 1 space per 1,000 square feet of warehouse area. The applicant has indicated that he has an informal agreement with the adjoining commercial property to the east for off-site parking. Without a variance, the Unified Zoning Code permits no more than 50% of the required parking to be located off-site.

Screening requirements in the Unified Zoning Code are decorative fencing, evergreen vegetation, or landscaped earth berms where adjacent to or across the street from residential zoning districts. In addition to screening, the Landscape Ordinance requires buffer tree planting along rear and side boundaries where adjacent to residential zoning districts.

The District Advisory Board for Council District IV heard the case on April 5, 2000. At the hearing, the DAB recommended approval of “OW” Office Warehouse zoning for the north half of the subject property subject to a Protective Overlay limiting uses to construction, sales, and contracting uses.

At the MAPC hearing on April 13, 2000, a motion was made to approve “OW” Office Warehouse for the portion of the subject property proposed for non-residential uses subject to the conditions of a Protective Overlay limiting uses to construction sales and service, office, and warehousing and requiring a 20 foot setback on the east property line for parking. This motion resulted in a moot vote (6-6), that would have resulted in a failure to recommend approval to the City Council. A second motion was made to approve “NO” Neighborhood Office zoning on the

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east half of the subject property, which was then followed by a substitute motion for a two-week deferral. The substitute motion for a two-week deferral passed 7-5.

At the MAPC hearing on April 27, 2000, a motion was made to approve "OW" Office Warehouse for the portion of the subject property proposed for non-residential uses subject to the conditions of a Protective Overlay limiting uses to construction sales and service, office, and warehousing and requiring a 20 foot setback on the east property line for parking. This motion failed 8-5. A second motion was made to approve "OW" Office Warehouse for the portion of the subject property proposed for non-residential uses subject to the conditions of a Protective Overlay limiting uses to construction sales and service, office, and warehousing; requiring a 20 foot setback on the east property line for parking; requiring a 6 foot high masonry wall along the east, south, and west property lines; requiring a 12 foot high screening fence for any outdoor storage area; and requiring a landscape plan providing trees every 15 feet along the east, south, and west property lines. This motion failed 7-6. A third motion was made to approve "NO" Neighborhood Office for the east 50 feet of the subject property where the applicant currently operates an office in a single-family residence. This motion passed 13-0.

Mayor Knight momentarily absent with Vice Mayor Lambke in the Chair.

Motion --

Gale moved that, having heard the findings of the MAPC and in accordance with Policy 10, the City Council concur with the findings of the MAPC and approve the zone change to "NO" Neighborhood Office on the east 50 feet of the subject property; place the ordinance establishing the zone change on first reading. Motion carried 6 to 1. Cole – No.

-- carried

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, introduced and under the rules laid over.

DR 00-05

DR 00-05 – REQUEST FOR STREET NAME CHANGE FROM STRATFORD TO STRATFORD ROW, ADJACENT TO LOTS 11-19, BLOCK 1; AND LOTS 1-2 AND 11-13, BLOCK 2, BROOKHAVEN ESTATES SECOND ADDITION – 15000 BLOCK OF EAST STRATFORD. (District II)

Agenda Report No. 00-0535.

Staff Recommendation: Approve the street name change.

MAPC Recommendation: Approve the street name change.

The Wichita-Sedgwick County Address Committee was created in 1994 to avoid and correct street naming and addressing problems being discovered as a result of increasing growth in the County and of using the Geographic Information System (GIS) maps and databases.

This street, located in a newly annexed area, is being renamed to avoid confusion caused by another street in the City of Wichita also named Stratford.

A meeting was held in January to review this street name change. At the March meeting, the committee voted unanimously (5-0) to recommend use of the name of "Stratford Row" for this street.

All affected property owners were notified, and no one appeared to object.

Motion --

Knight moved that the street name change be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance changing the name of Stratford Street to Stratford Row, adjacent to Lots 11-19, Block 1; and Lots 1-2 and 11-13, Block 2, Brookhaven Estates Second Addition (15000 Block of East Stratford), introduced and under the rules laid over.

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A 00-10

A 00-10 – REQUEST FOR ANNEXATION OF PROPERTY GENERALLY LOCATED NORTH OF MACARTHUR ROAD AND EAST OF WEST STREET, TO THE CITY OF WICHITA, KANSAS.

(District IV)

Agenda Report No. 00-0536.

The City has received a request to annex a 2.58-acre area situated north of MacArthur Road and east of West Street. The northern and eastern boundaries of the site abut the current City limits. The property owner is planning to prepare a final plat of the property with 1 single-family home and 1 manufactured home currently on the site, which is to be replaced later with a second single-family home. The Metropolitan Planning Commission approved the final plat of the development on December 16, 1999.

Analysis:

Land Use and Zoning: The annexation site consists of one (1) undeveloped contiguous tract of land zoned “SF-20” Single Family Residential. Land to the south and west of the site is zoned “SF-20” Single Family Residential. Land to the north and east of the site is zoned “SF-6” Single Family Residential. Upon annexation, the “SF-20” Single Family Residential zoning of the subject property will convert to “SF-6” Single Family Residential.

Public Services: The City Water and Sewer Department indicates that the subject property will have access to a 12 inch water main that is along the MacArthur Road right-of-way, between West Street and Meridian. As for sewer, the property proposed for annexation will have access to City sewer via a 16-inch line along the West Street right-of-way.

Street System: The site has immediate access to MacArthur Road, a two lane paved section line road that serves the area as the nearest major east-west road. The site will also have access to West Street, a two-lane paved section line road, as well as Meridian, a two-lane paved section line road. These two streets serve the area as the nearest major north-south roads. Currently, there are plans to improve MacArthur from Seneca to Meridian in the City of Wichita 2000-2009 C.I.P., with construction set for 2008.

Public Safety: The Wichita Fire Department can service this site within a ten (10) to twelve (12) minute approximate response time from City Station #12 located at 1903 West Pawnee. Also, the site can be serviced within a five (5) to seven (7) minute response time from City Station #19 located at 600 W MacArthur Road. In addition, the Sedgwick County Fire Department can serve this site within a ten (10) to twelve (12) minute approximate response time from County Station #34 located at 71st Street South and West Street. Upon annexation, police protection will be provided to the area by the Patrol South Bureau of the Wichita Police Department, headquartered at 211 E Pawnee.

Parks: Osage Park, a 20 acre Community Park, is located approximately two (2) miles northeast of the property proposed for annexation. The park may be accessed through entrances located off 31st Street South. The Wichita-Sedgwick County Parks and Open Space Master Plan: Parks and Pathways indicates no plans for future parks near the area proposed for annexation.

School District: The property is located in Unified School District 261 (Haysville School District). Annexation will not change the school district.

Urban Growth Area & Policy 32: The property is located inside of the urban growth area of the City of Wichita as shown in the 1996 amended Wichita-Sedgwick County Comprehensive Plan. The property is located inside of the current Policy 32 urban service area, particularly the 2010 urban service area, as proposed in the 1999 update to the Comprehensive Plan.

The property proposed for annexation currently has 2 single family units on the site. The total appraised value of the property is \$28,750, which is also the current assessed value. Using the current City levy (\$31.406/\$1000 x assessed valuation), this roughly yields \$902 in City annual tax revenues for the property. The future assessed value of this property will depend on subsequent future development and the current mill levy.

The property is eligible for annexation under K.S.A. 12-520.

Motion --
-- carried

Knight moved that the annexation request be approved and the annexation Ordinance be placed on first reading.
Motion carried 7 to 0.

ORDINANCE

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An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A 00-10

AIRPORT AGENDA

The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion

AIRPORT PROJECT

AIRPORT IMPROVEMENT PROGRAM GRANT APPLICATION.

Agenda Report No. 00-0537.

The Aviation Investment Reform Act for the 21st Century (AIR 21) was signed into law on April 5, 2000. AIR 21 is a four-year reauthorization of the Federal Aviation Administration and Airport Improvement Program. The reauthorization will provide improvements to airport safety and operations. Mid-Continent Airport is entitled to a portion of this funding based on its passenger enplanements. The funds may be used for projects that have met eligibility requirements and have been approved by the Federal Aviation Administration.

Staff has prepared a grant application for these funds for submission to the Federal Aviation Administration. The grant application was developed in consultation with the FAA and Airport Staff.

Grant funds are limited to the improvements listed in the application: Snow Sweeper/Blower Equipment, Runway "1R/19L" Shoulder Blast Pad Rehabilitation, Baggage Claim Area Fence, Airfield Electrical Vault Improvements, Terminal Apron Rehabilitation.

The Airport is requesting that \$885,563.00 in FAA Entitlement funds be directed for this purpose.. Matching funds of 10% will be met through the Passenger Facility Charges.

Motion --
-- carried

Knight moved that the grant application be approved and the necessary signatures be authorized. Motion carried 7 to 0.

LEASE AGREEMENT

AMERICA WEST – CARGO BUILDING AGREEMENT.

Agenda Report No. 00-0538.

The 31,500 sq. ft. cargo building on Wichita Mid-Continent Airport is occupied by 15 tenants. Recently, American Eagle vacated space located at 2219-C in the cargo building. America West is interested in leasing this space through June 30, 2002.

America West provides air carrier service on Wichita Mid-Continent Airport and is interested in expanding their cargo activity. The space formerly occupied by American Eagle will meet America West's needs.

The lease Agreement commences June 5, 2000. The area leased is 1,500 sq. ft. and rents for \$6.50 per sq. ft., for an annual revenue of \$9,750.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

AIRLINE AIRPORT USE

SUPPLEMENT NUMBER ONE TO THE AIRLINE AIRPORT USE AND LEASE AGREEMENT.

Agenda Report No. 00-0539.

The Agreement that was recently signed did not provide for relief of liability in the case of accident while the airline space was being used by others.

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The Airlines are now requesting this additional language be added to the Agreement. This request will help clarify the placement of liability if an accident should occur.

Without this Supplemental Agreement Number One if an accident would occur the courts would assign liability. Supplemental Agreement Number One should help to reduce cost involved in determining the assignment of liability.

Motion --
-- carried

Knight moved that the execution of Supplemental Agreement Number One to the Airline Airport Use and Lease Agreement dated January 1, 2000, be approved.

EXECUTIVE SESSION

Motion --
-- carried

Knight moved that the City Council recess to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending litigation and legal advice, and the City Council return from executive session no earlier than 11:15 a.m. Motion carried 7 to 0.

RECESS

The City Council recessed at 11:00 a.m. and reconvened at 11:20 a.m.

ADJOURNMENT

The City Council meeting adjourned at 11:20 a.m.

Pat Burnett CMC
City Clerk

WORKSHOP

WIND MITIGATION